



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/003,000 01/05/98 SIEFERT

D 6118.02

EXAMINER

TM02/0323

DOUGLAS S FOOTE
INTELLECTUAL PROPERTY SECTION
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RTMELL S
ART UNIT

PAPER NUMBER

2166
DATE MAILED:

03/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

2166

Part of Paper No. 11

Preliminary Note: Examiner notes that that the attorney signing the amendment of January 4, 2001 (George H. Gates) is not of record. While the response has been accepted and entered, applicant is required to provide a new power of attorney and revocation of previous powers of attorney in response to this office action. Applicant is also required to provide an updated correspondence address.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 16-22, drawn to a method of presenting material, classified in class 434, subclass 322.
- II. Claims 23-29, drawn to a computer apparatus for presenting material, classified in class 340, subclass 825.3 .

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the apparatus can be used to practice different processes, such as word processing, playing programmable games, sending electronic mail, and any other processes that can be performed on a personal computer.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Application/Control Number: 09/003,000
Art Unit: 2166

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Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.

A handwritten signature in black ink, appearing to read 'S. Rimell', written in a cursive style.

Sam Rimell
Primary Examiner
Art Unit 2166